THE HON'BLE SRI JUSTICE L. NARASIMHA REDDY

W.P.No.569 of 2006

Dated 06-01-2006

Between:

B.Sesha Reddy, S/o.Obul Reddy, D.No.6/146, Yerraguntla R.S.Village & Mandal, Kadapa District.

..... PETITIONER

AND

The Secretary, Regional Transport Authority, Kadapa and another.

.....RESPONDENTS

THE HON'BLE SRI JUSTICE L. NARASIMHA REDDY

W.P.No.569 of 2006

ORDER:

The vehicle of the petitioner, bearing Registration No.AP.04.T.3059, was seized by the 2nd respondent, through Vehicle Check Report, dated 28.12.2005, on the ground that the petitioner failed to produce the necessary documents, in relation to it. The petitioner challenges the seizure.

Heard the learned counsel for the petitioner and the learned Government Pleader for the respondents.

A perusal of the Vehicle Check Report, dated 28.12.2005, issued by the 2nd respondent, discloses that the petitioner failed to produce the permit and Driving License of the vehicle. Certain other lapses were also pointed out. The liability of the petitioner in the context of these observations needs to be established in the proceedings to be initiated under the relevant provisions of the Motor Vehicles Act. If the vehicle is detained and kept in the custody of the 2nd respondent till such

proceedings take place, not only the petitioner would be put to irreparable loss, but also the vehicle would be exposed to the danger of theft and damage. The interest of the State can be protected by imposing necessary conditions, while permitting the petitioner to keep the custody of the vehicle.

For the foregoing reasons, the writ petition is disposed of, directing that;

a. the vehicle bearing registration No.AP.04.T.3059 shall be released to the petitioner on his depositing a sum of Rs.15,000/- (Rupees fifteen thousand only).

b. the petitioner shall also furnish an undertaking to the effect that he shall not alienate the vehicle, till the proceedings in pursuance of the Check Report are finalized, and that he shall produce the vehicle as and when required by the respondents.

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L. NARASIMHA REDDY, J.

Dt.06-01-2006

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